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DEPARTMENT OF ECOLOGY - CENTRAL REGIONAL OFFICE

STATE OF WASHINGTON

# APPLICATION FOR CHANGE/TRANSFER OF WATER RIGHT

For filing with the Department of Ecology or with County Conservancy Boards

**A NON-REFUNDABLE MINIMUM FEE OF \$50.00 PAYABLE TO THE DEPARTMENT OF  
ECOLOGY MUST ACCOMPANY THIS APPLICATION**

(Check all that apply.)

- ☐ Change purpose(s) of use  
☒ Add purpose(s) of use  
☐ Change point(s) of diversion/withdrawal  
☐ Add point(s) of diversion/withdrawal  
☐ Change/transfer place of use  
☒ Other (i.e. consolidation, intertie, trust water)

Explain: Temporary Change Application

## FOR OFFICE USE ONLY

CHANGE No. CG4-00111-A@1 WRIA 39DATE ACCEPTED 01/03/2011 BY \_\_\_\_\_FEE \$ 50.00 REC'D 12/16/2010CHECK No. 3781

ECY Coding: 001-002-WR10285-000011

SEPA: ☐ Exempt ☐ Not exempt

\*\*IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)\*\*

## 1. Applicant Information:

APPLICANT/BUSINESS NAME <b>Laurin Mellergaard</b>	PHONE NO. <b>(509) 925-9155</b>	FAX NO. <b>( )</b>
ADDRESS <b>751 Mellergaard Rd.</b>		
CITY <b>Ellensburg</b>	STATE <b>WA</b>	ZIP CODE <b>98926 -8727</b>

CONTACT NAME (IF DIFFERENT FROM ABOVE) <b>Jeff Slothower</b>	PHONE NO. <b>(509) 925-6916</b>	FAX NO. <b>(509) 962-8093</b>
ADDRESS <b>Lathrop, Winbauer, Harrel, Slothower &amp; Denison, PO Box 1088, Ellensburg, WA 98926</b>		
CITY <b>Ellensburg</b>	STATE <b>WA</b>	ZIP CODE <b>98926</b>

## 2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER <b>CG4-00111-A (Kitt-07-08)</b>	RECORDED NAME(S) <b>Laurin Mellergaard</b>
DO YOU OWN THE RIGHT TO BE CHANGED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
IF NO, PROVIDE OWNER(S) NAME and ADDRESS:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

**Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.**

CG4-00111-A@1

CG4-00111-A CKR05 KITT-07-08 DATED 06-08-2008  
FOR OFFICE USE ONLY

APP. NO. 00390 PERMIT NO. 00410 CERT. NO. 00111 CERT. OF CHANGE NO. \_\_\_\_\_



3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Groundwater well		NW	NE	32	18	19		

B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Groundwater well		NW	NE	32	18	19		

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?

EXISTING: ☒ YES ☐ NO      PROPOSED: ☒ YES ☐ NO – IF NO, PROVIDE OWNER(S) NAME:

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

4. Purpose of Use:

A. Existing

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Year-Round Municipal Supply	30 gpm	12.6	Continuous
(see note 6.1)			

B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Year-Round Municipal Supply	30 gpm	12.6	Continuous
Irrigation (see note 6.1)			April 1 to October 1

5. Place of Use:

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:

W 1/2 of NE 1/4 of Section 32, Township 18 North, Range 19 East, W.M.

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
	NE	32	18	19			

DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? ☒ YES ☐ NO – IF NO, PROVIDE OWNER(S) NAME:

B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:

No change proposed.

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES

DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? ☒ YES ☐ NO – IF NO, PROVIDE OWNER(S) NAME:

Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map.

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?

☒ YES ☐ NO – IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S): Water from the Kittitas Reclamation District



6. Remarks and Other Relevant Information:

1. This water right was originally confirmed in the name of the State of Washington, Department of Game and is based upon Water Right Certificate No. 111-A. The certified ground water right was issued in 1947 to the Washington State Department of Game. In 2005 the current owner had a plat approved on the property after siting to convert the property from agricultural use to rural residential dwellings. That plat has since been extended. One of the conditions of the preliminary plat approval was to provide potable water to lots within the plat through the use of a Group A water system. The certified water right on the property identifies one of the purposes of use as domestic supply. The Washington State Department of Ecology took the position that because the water right, when issued to the Washington State Department of Game, only supplied water to two residences in addition to being used for poultry farm purposes, the owner of the water right had to go through a change application in order to be able to use the water for potable water to supply residences constructed on lots created through the plat. On September 18, 2007, the current landowner filed an Application for Change of Water Right. That application sought to change the purpose of use of the certified ground water right. Ultimately, on April 16, 2008 the Kittitas County Water Conservancy Board approved the change and issued an ROE under Water Right Change Application No. CG4-00111-A (Kitt-07-08). On June 2, 2008, the Washington State Department of Ecology issued a letter modifying the Kittitas County Water Conservancy Board's decision in Water Right Change Application No. CG4-00111-A (Kitt-07-08). That water right change changed the water right to authorize a maximum gallons per minute of 30 gallons per minute, 12.6 acre-feet per year for year-round municipal supply from a well in the NW 1/4 of the NE1/4 of Section 32, Township 18, Range 19 East, W.M. and WRIA 39 in Kittitas County. The well is located at a specific point within the NW 1/4 of the NE1/4 of Section 32, Township 18, Range 19 East W.M. The place of use in which the water can be used for year-round municipal supply is generally the West 1/2 of the NE1/4 of Section 32, Township 18, Range 19 East, W.M. and specifically that area or the service area described in the most recent water system plan approved by the Washington State Department of Health after September 9, 2003, so long as the water right holder is and remains in compliance with the criteria in RCW 90.03.386(2).

The Washington State Department of Ecology modification letter referenced above provided that during the development of the project there could be withdrawn and beneficially used 12.6 acre-feet per year of water under the original authorized purpose of use, which was domestic supply and poultry farm use, under the new authorized purpose of use (municipal water supply), or a combination thereof. The applicant seeks to temporarily change the purpose of use from domestic supply and poultry farm use to include an additional use of irrigation so that during the development schedule the applicant can beneficially use 12.6 acre-feet of water under the original authorized purpose of use (domestic supply and poultry farm use), under the new authorized purpose of use (municipal water supply), irrigation of turf, or any combination thereof.

IF FOR SEASONAL OR TEMPORARY, START DATE upon approval END DATE 12/31/2017

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

7. Signatures:

*I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I am hereby granting staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in the*



preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

(Applicant) *Laurin Mollergaard* 11/24/2010 (Date)

(Water Right Holder) *Laurin Mollergaard* 11/24/2010 (Date)

(Land Owner(s) of Existing Place of Use) *Laurin Mollergaard* 11/24/2010 (Date)

**IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.**

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

- |   |   |
|---|---|
| <input type="checkbox"/> APPLICATION FEE NOT ENCLOSED   | <input type="checkbox"/> MAP NOT INCLUDED or INCOMPLETE |
| <input type="checkbox"/> ADDITIONAL SIGNATURES REQUIRED | <input type="checkbox"/> SECTION _____ IS INCOMPLETE    |
| <input type="checkbox"/> OTHER/EXPLANATION: _____       |   |

STAFF: \_\_\_\_\_ DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_